

**CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for April 10, 2006 – Page 1 of 4**

I. ROLL CALL: This meeting was held in the City Council Chambers on the First Floor of City Hall, was called to order at 5:30 p.m., and was chaired by Jeffrey Gosselin.

- **Members in Attendance:** Jeffrey Gosselin, John Racine, Tom Truchon, Jim Horn (arrived at 5:35 p.m.), Stephen Morgan, Jonathan Earle, and Roger Philippon (arrived at 5:35 p.m.).

- **Associate Members Present:** Tom Peters and Ron Chartier (arrived at 5:35 p.m.).

- **Members Absent:** None.

- **Staff Present:** Gildace Arsenault, Director of Planning & Code Enforcement; David Hediger, City Planner; and Eric Cousens, Land Use Inspection Officer.

II. ADJUSTMENTS TO THE AGENDA: None.

III. CORRESPONDENCE: Staff Memorandum from David Hediger dated April 6, 2006.
The following motion was made.

MOTION: by **Tom Peters**, second by **Stephen Morgan** that the Planning Board accept the above correspondence, place it on record, and read it at the appropriate time.

VOTED: 6-0 (Passed).

Roger Philippon, Jim Horn, and Ron Chartier arrived.

IV. HEARINGS:

A. A proposal to host meetings up to 12 participants and occasional special outdoor functions at 52 Ware Street (Ware Street Inn). David Hediger read this portion of his Staff Memorandum dated April 6, 2006. At the request of the applicant, Ware Street Inn, this item has been continued from the March 27, 2006 Planning Board Meeting. **Bob Faunce**, Land Use Planner, explained the proposal further on behalf of the applicant, **Jan Barrett**, who was also present. Mrs. Barrett has been having meetings and renting more rooms than she is licensed for, until she recently learned that doing so was illegal.

This item was then opened to the public for those in favor.

Ed Plourde, Coburn Street, said he supports the proposal and was surprised at the hoops this small business must go through.

Charles Morrison, Director of the Chamber of Commerce, 46 Lake Street Auburn, supports small businesses and this project in particular.

This item was then opened to the public for those in opposition.

Kathy McDonald, 40 Ware Street, was concerned with parking and that the parking demand conflicts with Schaeffer Theatre. The ordinance allows this use on Main Street and College Street, but this property has no access from College Street.

David Hediger explained the e-mail from **Eric Hirshler**, which is in opposition to the proposal.

Tom Truchon asked about the parking coordination issues raised by Mrs. McDonald. Mrs. Barrett explained that parking will be coordinated with Bates College to ensure that it is available.

John Racine asked why parking cannot be created on site? Gil Arsenault and David Hediger explained how development review concerns relate to licensing.

On Jim Horn's request, Mrs. McDonald explained how she provides parking for caterers.

Steve Morgan explained that he is all for small businesses, but also understands Mrs. McDonalds concerns. Mrs. Barrett and the Board agreed that summer is to be defined as Memorial Day – Labor Day. Parking agreements must also be in place for events, not for the bed and breakfast.

The following motion was made.

MOTION: by **John Racine**, second by **Steve Morgan** that the Planning Board determines the application to host meetings up to 12 participants and occasional special outdoor functions, and to increase the number of rooms available for guests from 4 to 6 at 52 Ware Street (Ware Street Inn) to be complete; grants approval of the modification/waiver checklist; that this application meets all of the necessary approval criteria contained under Article XII, Section 17 and Article XIII, Section 4 of the Zoning and Land Use Code; and grants approval to Michael & Jan Barrett, subject to the following conditions:

1. That the applicant's ability to hold special outdoor functions, such as weddings, be limited to six (6) events and limited to daylight hours.
2. That an amended agreement be provided by Bates College as to the specific time periods when parking is available at Bates College.
3. Prior to any meetings being held, a written agreement is provided, demonstrating that off-street parking is available.
4. As part of the establishment's annual license renewal, a written agreement is provided to the City demonstrating that adequate off-street parking is available per Article XII, Section 17(d). If not, the establishment shall not hold any special outdoor functions or meetings.
5. Unless a written agreement is provided to the City, signed by the abutting property owner at 40 Ware Street, additional buffering must be installed and shown on the Site Plan, in accordance with the buffering standards contained in Article XIII, Section 4. The additional buffering must be installed prior to any special outdoor functions being held.
6. No special events or meetings are to be held and no more than four (4) guest rooms may be used until the effective date of the amendment to the bed and breakfast standards (April 20, 2006).
7. That the above referenced conditions are included on the lodging license for the operation of a bed and breakfast at 52 Ware Street.

VOTED: 7-0 (Passed).

B. A proposal to construct a 3,500 square foot facility (Key Bank Branch) with three (3) drive-thru windows at 20 East Avenue (Lewiston Mall). David Hediger read this portion of his Staff Memorandum dated April 6, 2006. **Lee Feldman**, Director of Planning for Sebago Technics explained the project in more detail. John Racine asked where snow will be stored because the proposed building will be located where snow is currently stored. Snow will be stored elsewhere on-site or hauled off-site.

This item was then opened to the public for those in favor, opposition, or for general comments. **Deb Morin-Ouellette**, owner of a home behind Margaritas asked if Vine Street will be used for access. The response was that it will not.

There being no further comments or discussion. the following motion was made.

MOTION: by **Tom Truchon**, second by **Roger Phillippon** that the Planning Board determines the application to construct a 3,500 square foot facility (Key Bank Branch) with three (3) drive-thru windows at 20 East Avenue (Lewiston Mall) to be complete; grants approval of the modification/waiver checklist; that this application meets all of the necessary approval criteria contained under Article XIII, Section 4 of the Zoning and Land Use Code; and grants approval to Vocon Design, Inc. and Key Bank, subject to the following conditions:

1. That no development activity may occur until a traffic movement permit has been issued by the City, requiring the following:
 - The signals at the intersections of Lisbon & Essex, Lisbon & East, and East & Shaw's entrance must be re-timed without changing existing cycle lengths prior to opening of the proposed Key Bank.
 - That a complete traffic study and implementation of any changes to the coordinated signal network along East Avenue and Lisbon Street be completed, of which includes the following intersections: Lisbon & Essex, Lisbon & East, East & Shaw's entrance, East & Pleasant/Bartlett, East & Malo/LHS, East & Webster, East & Sabattus, and Sabattus & Lafayette.
2. That the applicant place in escrow with the City 3/8 of the costs for the study and the changes associated with the study. The City will also be requesting Key Bank to place in escrow the cost of for the re-timing of the intersections at Lisbon & Essex, Lisbon & East, and East & Shaw's entrance. This money must be provided to the City prior to the issuance of any building permits for the development and will be held by the City for no longer than 2 years from the receipt date. The City will use the escrowed funds to make the timing improvements to the above referenced 3 intersections as required by the traffic movement permit and if needed, timing improvements required by the corridor study. Any excess escrow at the end of the two (2) years shall be reimbursed to the applicant.
3. The Site Plan is amended to show the installation of a "Do Not Block" roadway sign at the entrance of the drive-up window.
4. That a revised traffic movement permit application be provided with the following changes:
 - Documentation for the 10% reduction in shared trips should be provided.
 - Traffic Volume diagrams should be checked and revised if necessary based on comments above.
 - Capacity analysis should be re-run to reflect changes in volumes if necessary.
 - Capacity analysis tables should be corrected, based on comments in HNTB's review dated April 2006.
 - SimTraffic results should be reviewed for the Lewiston Mall at the East Avenue intersection for the East Ave SB approach to determine if additional timing changes are necessary to meet existing conditions LOS.
5. That docu. is provided to Staff ref. easements for shared parking between 20 East Ave. & 40 East Ave. prior to the release of any signed Site Plan.

VOTED: 7-0 (*Passed*).

V. OTHER BUSINESS: *Any other business Planning Board Members may have relating to the duties of the City of Lewiston Planning Board.* Chairman Gosselin will be unavailable for meetings of May 8, 2006 and May 22, 2006.

VI. READING OF THE MINUTES: *Draft Meeting Minutes for February 27, 2006, and March 13, 2006.*

The following motion was made:

MOTION: *by Tom Truchon, second by Roger Philippon that the Planning Board accept the Planning Board Minutes dated February 27, 2006, and March 13, 2006, as submitted.*

VOTED: 6-0-1 (*Passed*).

VII. ADJOURNMENT: This meeting adjourned at 6:45p.m. The next regularly scheduled Planning Board Meeting is for Monday, April 24, 2006.

Respectfully submitted,

Steven Morgan, Planning Board Secretary

DMC:dmc

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